CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 04/16/02

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Hayward Executive Airport Master Plan and Final Environmental Assessment/Environmental Impact Report (EA/EIR)

RECOMMENDATION:

Staff recommends that the City Council adopt the attached resolution certifying the Environmental Assessment/Environmental Impact Report and adopting the Hayward Executive Airport Master Plan, and Mitigation Monitoring and Reporting Program.

BACKGROUND:

In May 1998, the City contracted with Coffman Associates, Inc., to prepare an Airport Master Plan Update (AMP). Shortly thereafter, the Airport Planning Committee (APC) was formed. This sixteen member committee provided input into the AMP process and represented a mixture of organizations and individuals interested in the use and development of the Airport. The APC held five meetings at various milestones in the study process, and the Council's Airport Committee held three information work sessions. The Draft Airport Master Plan was reviewed by the City Council at its July 18, 2000 work session.

Based upon review of the preliminary findings of the Draft Airport Master Plan (AMP), the City determined that the proposed AMP had the potential to result in significant impacts on the environment and, thus, decided to prepare an EIR for the Master Plan. It should be noted that the EIR is a joint document that satisfies the requirements of CEQA and the applicable requirements of the National Environmental Policy Act (NEPA). The City's action to consider the EIR for certification is separate and distinct from the Federal Aviation Administration's (FAA) decision process for the NEPA document.

On April 23, 2001, the completed Draft EIR was made available for a 90-day review and comment period. On July 10, 2001, City Council held a work session to discuss the Draft AMP and review the Draft EA/EIR. Subsequently, on July 12, the Planning Commission held a public hearing to receive public comment on the Draft EA/EIR. A second hearing on the Final EIR/EA was held on February 28, 2002. At its February meeting, the Commission voted to recommend that City Council certify the Final EA/EIR and adopt the Airport Master Plan and Mitigation Monitoring and Reporting Program (MMRP).

Master Plan Improvements

The Master Plan encompasses approximately 521 acres of City-owned property, designated as the Hayward Executive Airport. The objectives of the Master Plan are to forecast the magnitude of changes that can be expected over the planning period, which extends through the year 2020. When adopted, the Master Plan will provide a framework for reviewing airport development concepts, capital improvements, and future development proposals. The City will balance the need to enhance the Airport's revenue generation with the overall environmental concerns of the surrounding communities.

Short-term Master Plan Improvements (2000-2005): Projects proposed for implementation before 2005, include improvements to the Airport's runways and taxiways, apron areas, navigation aids, and service roads, as well as construction of new general aviation facilities and a noise wall. The existing Runway 28L entrance taxiway would be widened and designated as part of the runway, effectively extending useable runway length for departures only, by 860 feet. Runway 28R would also be extended 350 feet to the southeast as a result of the displaced threshold. A new exit taxiway would be constructed and existing Taxiway Z would be relocated. The east perimeter service road would be constructed and a noise wall would be constructed on the Runway 10L holding apron. New T-hangars would be constructed and Phase 1 improvements for the Corsair Executive Hangars would be completed.

Long-term Master Plan Improvements (2006-2020): Projects proposed for implementation by the year 2020, include the installation of runway end identification lights on Runway 10L-28R, construction of T-hangar access taxi lanes to the South Executive Hangars, a public terminal building and associated automobile parking. A helipad for transient helicopter users would be constructed in the northeast section of the Airport. In addition, portions of the north apron would be expanded. The west perimeter road and the south access roads would be constructed. Phase 2 improvements for the Corsair Executive Hangars would be completed. New T-hangars would be constructed adjacent to Taxiway Z, as well as additional executive hangars, apron, automobile parking and access roads. Construction of up to 900,000 square feet of aviation-related development and 320,000 square feet of commercial/industrial development adjacent to West Winton Avenue is contemplated in the Master Plan by 2020. In addition, development could occur on about 6.3 acres of lease parcels for fixed-based operators (FBOs) and on about one acre of lease parcels for commercial/industrial uses.

REVIEW OF EA/EIR

The Draft EIR identified potentially significant impacts that could result from implementation of the Master Plan, including adverse effects on water quality, special status species, and increased air pollutant emissions during construction. However, with implementation of the mitigation measures proposed in the Master Plan and additional measures identified in the EIR, all potentially significant impacts of the Master Plan will be avoided or reduced to a less-than-significant level. Following close of the 90-day public review and comment period, the City

prepared responses to all written and verbal comments received on the Draft EIR and, in addition, initiated certain minor changes to the Draft EIR to correct or clarify its text. The Executive Summary for the Final EA/EIR is attached as Exhibit A. In addition to the Final EIR, the City has prepared a Mitigation Monitoring and Reporting Program (MMRP) outlining mitigation measures for potentially significant impacts discussed in the EIR (Exhibit B). A summary of the comments received during the environmental process is attached (Exhibit C).

In addition to the Proposed Action, the Draft EA/EIR also evaluated two alternatives: Alternative 'A' and a No Action Alternative.

Alternative 'A' is similar to the Proposed Action, in that it would include the same general aviation facilities (i.e., hangar spaces and associated facilities), provide a general aviation public terminal building, provide the same landside facilities, and accommodate the same number of aircraft operations as the Proposed Action in 2005 and 2020. The two primary differences between this alternative and the Proposed Action are that under Alternative 'A', there would not be a displaced threshold (e.g., widening the entrance taxiway to Runway 28L) constructed at either runway, and none of the commercial, industrial, or aviation-related development on the south side of the Airport that is assumed under the Proposed Action, would be undertaken.

The No Action Alternative assumes that none of the development proposed in the Proposed Action and in Alternative 'A' would occur. Accordingly, none of the airside improvements described under the Proposed Action or the landside improvements described under the Proposed Action and Alternative 'A' would be constructed.

CONCLUSION:

The purpose of the improvements recommended in the Master Plan, is to provide a balanced complex of airside and landside facilities needed to accommodate increases in aviation demand forecast through 2020. With or without implementation of the Master Plan, aviation activity at Hayward is expected to grow through the end of the planning period. Demand at Hayward is expected to increase due to growth in the population of the nearby communities, strength of national and regional economies in general, and expansion of business and industry that has occurred in Alameda County in particular. Growth in the demand for aviation services at Hayward is projected to include a shift to use by larger aircraft, creating new runway demands, as well as increases in total aircraft operations.

The EA/EIR discusses the No Action, Proposed Action and Alternative 'A' alternatives for a qualitative comparison of the potential impacts of these alternatives. The intent of the alternatives evaluation in the EA/EIR is to assure that reasonable alternatives, which may enhance environmental quality or may have a less detrimental effect on the environment, have been considered. The EA/EIR also discusses other alternatives considered but withdrawn from detailed evaluation. The EA/EIR has been prepared as a "program EIR." Therefore, the

EA/EIR recognizes that further environmental reviews may be necessary for subsequent specific development projects.

Prepared by:

for Brent S. Shiner, Airport Manager

Recommended by:

Dennis L. Butler, Director of Public Works

Approved by:

Jesús Armas, City Manager

Attachments:

Exhibit A: Executive Summary for Final EA/EIR
Exhibit B: Mitigation Monitoring and Reporting Program
Exhibit C: Summary of Comments on Draft EA/EIR
Exhibit D: Planning Commission Minutes

EXECUTIVE SUMMARY

S.1 BACKGROUND

The project evaluated in this Environmental Assessment and Environmental Impact Report (EA/EIR) consists of the improvements recommended in the Draft *Hayward Executive Airport Master Plan* (Master Plan) for Hayward Executive Airport (HWD or Airport). This Master Plan is an update to the original *Hayward Executive Airport Master Plan*. The update will supercede the original when it is approved and adopted; thereafter, it will be known simply as the *Hayward Executive Airport Master Plan*. Accordingly, both the draft and final versions of the updated *Hayward Executive Airport Master Plan* are referred to as the "Master Plan" throughout this document. The Master Plan proposes the improvements as a balanced complex of airside and landside facilities needed to accommodate increases in aviation demand forecast through 2020. This EA/EIR is prepared as a joint document to satisfy the applicable requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) and the implementing guidance of both statutes. The Federal Aviation Administration (FAA) is the Lead Agency for NEPA documentation and the City of Hayward (City) is the Lead Agency for CEQA documentation. Pursuant to the requirements of NEPA and CEQA, this EA/EIR discloses the potential environmental consequences of implementing the Master Plan, identifies mitigation for those impacts as feasible and appropriate, and discusses reasonable alternatives to the Master Plan recommendations.

The City, which operates HWD and is the sponsor of the Proposed Action, has established six principal objectives for the Master Plan at HWD:

- Develop an attractive, efficient, and safe aviation facility in accordance with federal safety regulations.
- Develop facilities to efficiently serve general aviation users and accommodate increased use of the Airport, including increased business and corporate use of the Airport.
- Accommodate forecast increases in aircraft operations at the Airport, changes in the types of aircraft that may use the Airport in the future, as well as other airside and landside facility needs.
- Contribute to local economic development through the development of Airport property for business and general aviation uses.

- Support local economic development and growth by providing the facilities necessary to support business and corporate aircraft use of HWD. This objective includes adequate runway and terminal facilities to serve both turboprop and turbojet aircraft.

- Prevent substantial increases in aircraft noise exposure in surrounding residential neighborhoods that could result from future growth in aviation activity at HWD, both by facilitating pilot compliance with noise abatement procedures and by minimizing aircraft noise levels associated with aircraft arriving to and departing from the Airport.

It is an additional objective of the proposed project to establish appropriate uses for those areas of the Airport that may become available for new development or for redevelopment within the 20-year planning period for HWD.

S.2 MASTER PLAN IMPROVEMENTS

For purposes of this EA/EIR, the Proposed Action is implementation of the improvements recommended in the Master Plan. Primary Master Plan component projects include extension of the Airport's two existing runways, improvements to the taxiways, apron areas, navigation aids, and service roads, as well as construction of new general aviation facilities and a noise wall. The planning horizon for the Master Plan extends through 2020, although the individual projects proposed are distinguished according to short-term and long-term implementation timeframes.

S.2.1 PROPOSED SHORT-TERM PROJECTS

Short-term Master Plan projects are those proposed for implementation before 2005, including improvements to the Airport's runways and taxiways, apron areas, navigation aids, and service roads, as well as construction of new general aviation facilities and a noise wall (see Table S-1). The existing Runway 28L entrance taxiway would be widened and designated as part of the runway, effectively extending usable runway length by 860 feet. Runway 28R also would be extended 350 feet to the southeast. A new exit taxiway would be constructed and existing Taxiway Z would be relocated. The east perimeter service road would be constructed and a noise wall up to 400 feet in length would be constructed on the Runway 10L holding apron. Fifty-one (51) T-hangars and an apron would be constructed at Skywest Aeropark. Phase 1 improvements for the Corsair Executive Hangars (extension of utilities, construction of auto parking and access, and construction of an apron) would be completed.

S.2.2 PROPOSED LONG-TERM PROJECTS

Long-term Master Plan airside projects, which would be implemented by year 2020 (see Table S-2), include the installation of runway end identification lights on Runway 10L-28R and the construction of T-hangar access taxilanes to the South Executive Hangars. Long-term Master Plan landside projects include a public terminal building and auto parking. A helipad for transient Airport users would be constructed in the northeast section of the Airport, adjacent to

TABLE S-1
SHORT-TERM MASTER PLAN PROJECTS AT HAYWARD EXECUTIVE AIRPORT (2000-2005)

Airside Facilities

A1 Widen Runway 28L entrance taxiway and designate as a runway for departures to the northwest
A2 Overlay Runway 10R-28L
A3 Overlay Runway 10L-28R and extend it 350 feet to the southeast
A4 Relocate Taxiway Z
A5 Construct exit taxiway
A6 Relocate segmented circle and lighted wind cone from Runway 10R-28L object free area
A7 Install PAPI for Runway 10L
A8 Relocate Automated Surface Observation System (ASOS)
A9 Widen and shift portions of Taxiway A1 away from noise berm

Landside Facilities

L1 Construct East Perimeter Service Road
L2 Construct 400-foot noise wall at Runway 10L holding apron
L3 Construct apron at Skywest Aeropark
L4 Construct 51 T-hangars at Skywest Aeropark
L5 Extend utilities (phase 1) to Corsair Executive Hangars
L6 Construct phase 1 auto parking/access at Corsair Executive Hangars
L7 Construct phase 1 apron at Corsair Executive Hangars

SOURCE: *Hayward Executive Airport Master Plan*, 2000

the proposed Skywest Aeropark. In addition, portions of the north apron would be expanded. The west perimeter service road and the south access roads would be constructed.

Phase 2 improvements for the Corsair Executive Hangars (extension of utilities, construction of auto parking and access, and construction of an apron) would be completed. Fifty-two (52) new T-hangars would be constructed adjacent to Taxiway Z, as well as additional executive hangars, apron, auto parking and access (South Executive Hangars).

Construction of up to 900,000 square feet of aviation-related development and 320,000 square feet of commercial/industrial development adjacent to West Winton Avenue is contemplated in the Master Plan by 2020. In addition, development could occur on about 6.3 acres of lease parcels for fixed-based operators (FBOs) and on about one acre of lease parcels for commercial/industrial uses.

TABLE S-2
LONG-TERM MASTER PLAN PROJECTS AT HAYWARD EXECUTIVE AIRPORT (2006-2020)

Airside Facilities

A10 Install REILs on Runway 10L-28R
A11 Construct T-hangar access taxilanes to South Executive Hangars

Landside Facilities

L8 Construct west perimeter service road
L9 Construct transient helipad on north side
L10 Construct 12,000-square-foot public terminal building
L11 Construct auto parking for the public terminal building
L12 Expand portions of north apron
L13 Extend utilities (phase 2) to Corsair Executive Hangars
L14 Construct phase 2 auto parking/access at Corsair Executive Hangars
L15 Construct phase 2 apron at Corsair Executive Hangars
L16 Construct 52 T-hangars at South Executive Hangars
L17 Construct auto parking/access at South Executive Hangars
L18 Construct apron at South Executive Hangars
L19 Construct south access roads
L20 Aviation-related development
L21 Commercial/industrial development
L22 Development on lease parcels for FBOs
L23 Development on lease parcels for commercial/industrial uses

SOURCE: *Hayward Executive Airport Master Plan*, 2000

S.3 PURPOSE OF THE MASTER PLAN IMPROVEMENTS

The Proposed Action evaluated in this EA/EIR is implementation of the Master Plan for HWD. The purpose of the improvements recommended in the Master Plan is to provide a balanced complex of airside and landside facilities needed to accommodate increases in aviation demand forecast through 2020.

With or without implementation of the Master Plan, aviation activity at HWD is expected to grow through the end of the planning period. According to the draft Master Plan, HWD accommodated 180,950 aircraft operations in 1998. The Master Plan forecasts 199,550 total aircraft operations at HWD in 2005, and 219,830 total aircraft operations in 2020 without the implementation of the Proposed Action or any other development alternative. With development of the Master Plan improvements under the Proposed Action, the Master Plan forecasts for 2005 and 2020 are substantially higher, 214,180 and 268,310 total aircraft operations in 2005 and

2020, respectively. The Master Plan and this EA/EIR assume that construction of the facilities proposed in the plan would induce and accommodate aviation demand in addition to that forecast under the No Action Alternative.

Demand at HWD is expected to increase due to growth in the population of nearby communities, to the strength of national and regional economies in general, and to the expansion in business and industry that has occurred in Alameda County in particular.

The growth in demand for aviation services at HWD is projected to include a shift to larger aircraft using the Airport and creating new runway demands, as well as increases in total aircraft operations.

S.4 NEED FOR THE MASTER PLAN IMPROVEMENTS

The Airport is one of 43 reliever airports within the State of California. Reliever airports are specially designated general aviation airports intended to reduce congestion at large commercial service airports. In its designated role as a reliever airport, HWD is intended to accommodate the overflow of general aviation aircraft and operations from nearby Metropolitan Oakland International Airport (OAK). The improvements proposed in the Master Plan would support and enhance the continued use of the HWD as a reliever airport for OAK, at which substantial increases in air carrier as well as general aviation activity are forecast through 2020.

S.5 ALTERNATIVES

Section 1502.14 of the President's Council on Environmental Quality Regulations requires that a federal lead agency evaluate reasonable alternatives in the NEPA documentation for which the agency is responsible. In addition, the CEQA *Guidelines* require that an EIR evaluate a range of reasonable alternatives to a project that would avoid or reduce any significant impacts of the project while achieving the basic objectives of the project. The intent of the alternatives evaluation in this EA/EIR is to assure that reasonable alternatives that may enhance environmental quality or may have a less detrimental effect on the environment have been considered. This EA/EIR describes and devotes substantial treatment to two alternatives considered in detail in addition to the Proposed Action: Alternative A and the No Action Alternative. The EA/EIR also discusses other alternatives considered but withdrawn from detailed evaluation (see Chapter 2, Alternatives). These include improvements at another regional airport and relocating HWD or constructing a new facility.

As discussed in Chapter 2, Alternatives, the City has determined as required that, for CEQA purposes, the No Action Alternative is an environmentally superior alternative as compared to the two development alternatives and that, among the other alternatives, Alternative A is an environmentally superior alternative as compared to the Proposed Action. However, it is

important to note that the difference between the Proposed Action and Alternative A with respect to environmental impacts is in the magnitude of the impacts identified; with mitigation proposed as part of the project and identified in this EA/EIR, neither the Proposed Action nor Alternative A would result in significant environmental impacts. No determination as to a preferred alternative or an environmentally preferable alternative is required for NEPA purposes by FAA Order 5050.4A in a Draft EA and no such determination has been made by the FAA for this Draft EA/EIR.

S.5.1 PROPOSED ACTION

Section S.2, Master Plan Improvements, above summarizes the elements of the Proposed Action (see also Table 2-1 and Figure 2-1 and 2-2 in Chapter 2, Alternatives). Table S-3, located at the end of this chapter, provides a summary evaluation matrix of the impacts of the three alternatives to which this EA/EIR devotes substantial treatment including the Proposed Action.

S.5.2 ALTERNATIVE A

This alternative is similar to the Proposed Action in that it would include the same general aviation facilities (i.e., hangar spaces and associated facilities), would provide a general aviation terminal, would provide the same landside facilities, and would accommodate the same number of aircraft operations as the Proposed Action in 2005 and 2020. The two primary differences between this alternative and the Proposed Action are that under Alternative A neither runway at HWD would be extended and none of the commercial, industrial, or aviation-related development on the south side of the Airport that is assumed under the Proposed Action would be undertaken. In Chapter 2, Table 2-1 presents the various project components that would be developed under this alternative. Figure 2-3 and Figure 2-4 depict the various short-term and long-term project components included in Alternative A.

S.5.3 NO ACTION ALTERNATIVE

The No Action Alternative assumes that none of the development proposed in the Proposed Action and in Alternative A would occur at HWD. Accordingly, none of the airside improvements described under the Proposed Action or the landside improvements described under the Proposed Action and Alternative A would be constructed. Because no additional general aviation facilities (i.e., hangar spaces) would be developed under the No Action Alternative, the increase in the number of aircraft operations at HWD under this alternative would be less than the number of operations forecast for the Proposed Action and Alternative A in 2005 and 2020 (see Table S-2). Under the No Action Alternative, facilities at HWD would be limited to those now existing at the Airport (see Figure 1-2 and Tables 1-1 and 1-2 in Chapter 1, Purpose and Need for the Project).

S.6 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

As noted above, this EA/EIR devotes substantial treatment to three alternatives considered in detail: the Proposed Action, Alternative A, and the No Action Alternative. Table S-3 summarizes the detailed analysis of the environmental impacts of the three alternatives that is provided in Chapter 4, Environmental Consequences and Mitigation Measures, in a matrix. For each environmental topic, the matrix identifies the level of significance of the environmental impact under each alternative, thus facilitating comparison of the environmental consequences of the three alternatives considered in detail.

TABLE S-3
ALTERNATIVES EVALUATION MATRIX

Environmental Topic	No Action Alternative Consequences	Proposed Action (Master Plan Improvements) Consequences	Alternative A Consequences
Noise – Aircraft Noise Impacts	LS	LS	LS
Noise – Surface Traffic Impacts	LS	LS	LS
Noise – Construction Noise Impacts	LS	LS	LS
Land Use - Changes in On-Airport Land Uses	LS	S/LS	S/LS
Land Use - Adjacent Land Use Compatibility	S	LS	LS
Social - Increase in Traffic at Intersections	LS	LS	LS
Social - Increase in Traffic on Regional Roadways	LS	LS	LS
Social - Traffic Safety	LS	LS	LS
Social - Public Transit Service	LS	LS	LS
Social - Permanent Employment	LS	LS	LS
Social - Construction Employment	LS	LS	LS
Social - Housing Demand	LS	LS	LS
Social – Indirect Employment and Housing Demand	LS	LS	LS
Social – Minority Populations	LS	LS	LS
Social – Low-Income Populations	LS	LS	LS
Socioeconomics – Schools	LS	LS	LS

No Impact = -
Less than Significant Impact = LS
Significant Impact = S
Less than Significant with Mitigation = S/LS

TABLE S-3 (Continued)
ALTERNATIVES EVALUATION MATRIX

Environmental Topic	No Action Alternative Consequences	Proposed Action (Master Plan Improvements) Consequences	Alternative A Consequences
Socioeconomics – Hospitals	LS	LS	LS
Socioeconomics – Parks	LS	LS	LS
Socioeconomics – Police	LS	LS	LS
Socioeconomics – Fire	LS	LS	LS
Socioeconomics – Water	LS	LS	LS
Socioeconomics – Wastewater	LS	LS	LS
Air Quality – Regional Emissions	LS	S/LS	S/LS
Air Quality – Local Concentrations	LS	S/LS	S/LS
Water Quality – Surface Water Quality	S/LS	S/LS	S/LS
Water Quality - Groundwater	LS	LS	LS
Section 303 – Constructive Use	-	LS	LS
Cultural – Historical Resources	-	LS	LS
Cultural – Identifies Archaeological Resources	-	LS	LS
Cultural – Unidentified Archeological Resources	-	LS	LS
Biological Resource – Bird Strikes	LS	LS	LS
Biological Resources – Common Vegetation and Wildlife	LS	LS	LS
Biological Resources – Foraging Habitat	LS	LS	LS

No Impact = -
Less than Significant Impact = LS
Significant Impact = S
Less than Significant with Mitigation = S/LS

EXHIBIT A

TABLE S-3 (Continued)
ALTERNATIVES EVALUATION MATRIX

Environmental Topic	No Action Alternative Consequences	Proposed Action (Master Plan Improvements) Consequences	Alternative A Consequences
Endangered and Threatened Species	-	S/LS	S/LS
Other Special-Status Species	-	LS	LS
Wetlands	-	LS	LS
Floodplains – Floodplain Encroachment	-	LS	LS
Floodplains - On-Site Flooding	-	S/LS	S/LS
Floodplains – Storage Capacity	-	LS	LS
Coastal Zone Management	-	-	-
Coastal Barriers	-	-	-
Wild and Scenic Rivers	-	-	-
Farmland	-	-	-
Energy – Energy Consumption	LS	LS	LS
Energy - Demand	LS	LS	LS
Light Emissions	LS	LS	LS
Solid Waste Impacts	LS	LS	LS
Construction Impacts – Noise	-	LS	LS
Construction Impacts – Air Quality	-	S/LS	S/LS
Construction Impacts – Water Quality	-	S/LS	S/LS

No Impact = -
Less than Significant Impact = LS
Significant Impact = S
Less than Significant with Mitigation = S/LS

TABLE S-3 (Continued)
ALTERNATIVES EVALUATION MATRIX

Environmental Topic	No Action Alternative Consequences	Proposed Action (Master Plan Improvements) Consequences	Alternative A Consequences
Construction Impacts – Hazardous Materials	-	S/LS	S/LS
Visual Character	-	LS	LS
Geology	LS	LS	LS
Seismicity	LS	S/LS	S/LS
Hazardous Materials – Fuel Storage and Spill Impacts	LS	LS	LS
Hazardous Materials – Hazardous Materials Transport	LS	LS	LS
Hazardous Materials – Storage of Hazardous Materials	LS	LS	LS
Hazardous Materials – Hazardous Waste Generation	-	-	-
Hazardous Materials – Exposure of Workers to Hazardous Materials	LS	S/LS	S/LS

SOURCE: Summary of Environmental Consequences presented in Chapter 4 of this document.

No Impact = -
Less than Significant Impact = LS
Significant Impact = S
Less than Significant with Mitigation = S/LS

EXHIBIT A

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM
HAYWARD EXECUTIVE AIRPORT MASTER PLAN

INTRODUCTION

The attached table summarizes mitigation measures for the Hayward Executive Airport Master Plan. It will accompany the Final EA/EIR document.

Environmental monitoring is conducted in order to minimize impacts to resources and to verify and document that project implementation is conducted in compliance with specifications relating to mitigation plans, environmental protection, and environmental requirements set forth in project permits and approvals, including the EIR. Personnel responsible for environmental monitoring must be qualified in the area assigned and capable of determining noncompliance activities.

MONITORING

The project applicant (Hayward Executive Airport) shall designate one or more persons, who shall be acceptable to the City Department of Public Works, to act as an Environmental Compliance Monitor. That person will prepare/receive (as appropriate) project mitigation plans, will maintain copies of all noncompliance reports and environmental monitoring reports, and will be responsible for reporting to the City Department of Public Works and other agencies as described in the mitigation plans.

The Mitigation Monitoring and Reporting Program (MMRP) ensures that project mitigation measures specified in the Final EA/EIR are instituted in an organized manner. Implementation of the MMRP requires the coordination of various parties (Airport Manager, City Department of Public Works, qualified experts) and adherence to the project timeline.

The MMRP lists the full text of the mitigation measure, specifies when the plan for each mitigation measure shall be prepared, and identifies the regulatory agency (usually the City) responsible for review of that plan. The regulatory agency shall verify that a plan is prepared for the implementation of each mitigation measure as indicated in the column "Timing of Implementation of Mitigation Measure." Additionally, the party responsible (usually the Environmental Compliance Monitor) for conducting the monitoring is identified. Occasionally a mitigation measure requires monitoring by a specific experts/monitors (e.g., archaeologist, biologist, etc.) depending on the nature of the mitigation measure.

MONITORING AND REPORTING SCHEDULE

The MMRP indicates a Monitoring and Reporting Schedule, which identifies how often a monitoring report would be prepared on a given measure (e.g., quarterly, on going during construction, etc.). The frequency of the report depends on the nature of the mitigation measure. As stated above, the Environmental Compliance Monitor shall maintain copies of all prepared reports and shall be responsible for reporting to the City and other agencies identified in the mitigation plans.

The Environmental Compliance Monitor shall provide a Quarterly Environmental Report to the City and/or appropriate agency, specifying the nature and location of activities. The Environmental Compliance Monitor shall be responsible for the preparation of the report (see Table 1). Also, an annual progress report, including a summary of activities, shall be provided to the City Department of Public Works and/or appropriate agency. The annual report shall document environmental compliance field activities, as well as noncompliance incidents and their resolution. Copies of the quarterly reports shall be forwarded to the City Department of Public Works. Annual reports shall be distributed the first month of the calendar year to the same persons who receive the quarterly reports.

EXHIBIT B

COMPLIANCE GUIDELINES

The responsible monitoring party will evaluate all construction activities and continuously determine a level of compliance with mitigation measures. Compliance levels will be defined as Acceptable, Advisory or Noncompliance (levels 1, 2, or 3). Levels of noncompliance will be designated according to criteria listed in Tables 2 through 4. Further clarification on determining levels of noncompliance will be set by the appropriate monitor, based on experience during construction. The protocols for handling noncompliance levels are shown in Tables 2 through 4.

Any activity that may cause a negative environmental effect will be immediately brought to the attention of the Environmental Compliance Monitor and the City Department of Public Works. In the event of a situation where clear noncompliance of environmental specifications could result in immediate unnecessary environmental impact, the Environmental Compliance Monitor shall bypass standard communication protocol and temporarily halt the specific work to notify appropriate City personnel and agency representatives.

CONTRACT RESOLUTION CONCERNING CONSTRUCTION CONTRACT SPECIFICATIONS

In the event of construction contract variations the following three general guidelines shall be used by the Environmental Compliance Monitor, appropriate monitors, and contractor:

- Environmental concerns will be given an equal priority with construction concerns.
- The conflict will be quickly identified in order to focus on the solution.
- Project construction and environmental representatives shall work for solutions within the budget and timeline, which comply with environmental requirements.

Only changes that will not cause significant adverse impacts to sensitive resources and that are the functional equivalent of existing measures will be considered. The Environmental Compliance Monitor will determine if the proposed change will cause significant adverse impacts to sensitive resources. The City Department of Public Works will be notified of the monitor's determination. Once concurrence is obtained, the Environmental Compliance Monitor shall be responsible for notifying all appropriate parties and maintaining written documentation of the activity/determination.

If it is determined that the proposed change would result in significant adverse impacts to sensitive resources, the matter will be discussed with the City Department of Public Works. The City Department of Public Works will work with the Airport Manager to determine if other viable alternatives exist. If no viable alternatives exist, the appropriate parties will reject the change or proceed with the required surveys and/or agency negotiations for permit, mitigation, or agreement modifications. The Environmental Compliance Monitor will coordinate with the City on the status of all agency agreements and clearances.

TABLE 1: QUARTERLY ENVIRONMENTAL MONITORING REPORT

Date:_____ Quarter:_____ Monitor:_____

Monitoring Stage:

Pre-construction Construction Post-Occupancy

Project Case Name/Number:

Brief Description of Mitigation Activities:

Activity Location(s):

Requirement Met or Is Continuing To Be Met:

Date	Yes	No	Comment	Follow Up Necessary
_____	___	___	_____	_____
				_____

Comments:

I hereby certify that I have inspected the project site and that the above information is true to the best of my knowledge.

Name (Print) _____

Representing _____

Signature _____

Date _____

EXHIBIT B

QUARTERLY ENVIRONMENTAL MONITORNG REPORT INSTRUCTIONS

Quarterly reports should be filled out as follows:

1. Complete the information at the top of the form:

   Date Report Prepared
   Quarter for which the report is prepared
   Monitor's Name
   Page number, if more than one page

2. Throughout the quarter, log in the mitigation measures monitored or performed in the "Brief Description of Mitigation Activities" space.

3. Make comments as appropriate. Comments on activities should include information such as work progress, implementation of environmental mitigation measures, any agency representatives on site (note their concerns), trespassing in progress, important discussions with local residents, Engineers, Contractors, etc.

4. If the activity was acceptable, check "yes", which indicates that no further action is required. If the Monitor is providing advice on a situation that may become a minor problem, briefly explain the action taken and the follow-up necessary. Indicate if a sketch or photos are available. If photos are taken, write the photo number in the space. Date any available sketches and number them if more than one sketch is provided.

5. The quarterly monitoring reports shall be filed by the Environmental Compliance Monitor with the City.

TABLE 2: PROTOCOL FOR LEVEL 1 – ACCEPTABLE (MINOR PROBLEMS)

LEVEL 3:	Violation does not require work delay; typically discovered after the fact, and is a minor deviation from environmental requirements and causes no impact to biological or cultural resources.
EFFECT:	No delay in construction.
PROTOCOL:	Environmental Compliance Monitor will convey the concern to the Airport Manager for resolution. The Airport Manager will convey the concern to the Project Engineer on the same day for problem resolution. If the problem cannot be corrected on the same day, then the Environmental Compliance Monitor, Airport Manager and Project Engineer will determine a plan of action to be performed within a specified time frame.
EXAMPLES:	Failure to pick up trash or store equipment and materials properly Personnel enter area beyond limits of construction Inadequate training of personnel Plan check or other plan verifications Habitat concerns Alterations in scheduling
DOCUMENTATION:	Environmental Compliance Monitor will document the problem and solution in the Quarterly Environmental Monitoring Report.

TABLE 3: PROTOCOL FOR LEVEL 2 – ADVISORY (SIMPLE VIOLATION)

LEVEL 2:	These are compliance violations that can be corrected by remedial field changes initiated by the Environmental Compliance Monitor. They usually involve repeated violations or resources placed at unnecessary risk.
EFFECT:	Minor or no work/construction delay and equipment redirected as necessary.
PROTOCOL:	The Environmental Compliance Monitor will notify the Airport Manager and explain the problem. The Airport Manager will contact the Project Engineer for resolution. The Manager and Engineer will attempt corrective action in the field, on the same day, without stopping work. If the problem cannot be corrected on the same day, then the Environmental Compliance Monitor, Airport Manager, and Project Engineer will determine a plan of action to be performed within a specified time frame.
EXAMPLES:	Protective fencing in need of repair or relocation Additional erosion control needed Improper set backs from sensitive resources Equipment problems or lack of mufflers on equipment Inadequate monitoring personnel in field Inadequate dust control Improper equipment use
DOCUMENTATION:	The Environmental Compliance Monitor will photograph or otherwise document the violation, the agreed upon remediation, the time frame for remediation, and other specifics regarding the violation. The Monitor will document remediation of non-compliance and enter it into the Quarterly Environmental Monitoring Report.

TABLE 4: PROTOCOL FOR LEVEL 3 – NONCOMPLIANCE (SERIOUS VIOLATION)

LEVEL 3:	These include compliance violations requiring immediate stoppage of a specific activity, and usually involve a serious impact to cultural or biological resources.
EFFECT:	Immediate halt of specific activity until remedial actions can be taken.
PROTOCOL:	Initiate an emergency halt of the specific activity until remedial actions can be taken. The Environmental Compliance Monitor has authority to cease activity and then immediately report to the Airport Manager. The Monitor will then follow chain of command notification by notifying the City Department of Public Works. The Environmental Compliance Monitor will only stop work if it is an emergency or if a resource will unavoidably be damaged in the event that immediate action is not taken. A non-emergency halt shall flow through the chain of command. The Environmental Compliance Monitor will immediately contact the Airport Manager if a work stoppage is absolutely necessary, and then contact the City Department of Public Works. The Airport Manger will stop work if it is determined that the stop is absolutely necessary.
EXAMPLES:	Emergency stoppage in an area of specific activity Construction activity outside limits of construction Presence of cultural resources Presence of endangered species in danger of removal or damage Non-emergency stoppage Limits of construction not staked Location questions Construction equipment does not meet APCD mitigation measures Construction activities in violation of any permit requirement that would cause permanent damage
DOCUMENTATION:	The Environmental Compliance Monitor will photograph non-compliance and draw a plan view of the incident area, and as appropriate, prepare a stop/work justification and a non-compliance report. The monitor will document remediation of non-compliance and enter it into the Quarterly Environmental Monitoring Report. This would include when the incident occurred, the stop work time, the length of time work was stopped, the stop work justification, exhibits, and resolution.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Construction Emissions	The City shall require construction contractors to implement a dust abatement program for individual components of the Master Plan. Elements of the dust abatement program for project components that disturb less than four acres shall include, but not necessarily be limited to the following: • Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer). • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.	Prepare and review contract language prior to construction bid.	City of Hayward/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Construction Emissions (cont.)	Elements of the dust abatement program for project components that disturb four or more acres shall include, but not be limited to the following: • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). • Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. • Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved roads to 15 miles per hour. • Reduce the amount of the disturbed area where possible. • Pave all roadways, driveways, sidewalks, etc. as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. • Replant vegetation in disturbed areas as quickly as possible.	Prepare and review contract language prior to construction bid.	City of Hayward/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Construction Emissions (cont.)	Elements of the dust abatement program for project components that disturb four or more acres shall include, but not be limited to the following: • Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Bay Area Air Quality Management District (BAAQMD) prior to the start of construction.	Prepare and review contract language prior to construction bid.	City of Hayward/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Surface Water Quality	The City shall update the Airport Storm Water Pollution Prevention Plan (SWPPP) to include the additional facilities. The City shall ensure that the Best Management Practices (BMPs) associated with the new facilities are similar to the existing BMPs. The City shall prepare an SWPPP as part of the construction activities National Pollutant Discharge Elimination System (NPDES) storm water permit required by the Regional Water Quality Control Board (RWQCB). The SWPPP shall include, but not be limited to, the following requirements: • Plan excavation and grading activities for only the dry season (April 15 to October 31) to the extent possible. This reduces the chance of severe erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.	One-time prior to initiation of any construction activities.	City of Hayward/ RWQCB	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Surface Water Quality (cont.)	The SWPPP shall include, but not be limited to, the following requirements: • If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated by temporary on-site silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff shall be diverted away from exposed soil material. If work is stopped due to rains, a positive grading away from slopes shall be provided to carry the surface runoff to areas to where flow can be controlled, such as the temporary silt basins. Sediment basin/traps shall be located and operated to prevent offsite sediment transport. Any trapped sediment shall be removed from the basin or trap and placed at a suitable location on-site away from concentrated flows, or removed to an approved disposal site. • BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary to preserve the siltation basins storage volumes and permit adequate conveyance.	One time prior to initiation of any construction activities.	City of Hayward/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Discovery of Previously Unknown Archaeological Resources	If any unknown archaeological resources are uncovered, construction-related operations would be halted within 25 feet of the find, and a qualified archaeologist would be contacted and consulted before construction is resumed. A report evaluating the find and identifying mitigation for impacts shall be prepared by the archaeologist and submitted to the City Director of Planning and Building and to the City Director of General Services.	Prepare and review contract language prior to	County General Services/ Contractor/ Archaeologist	On-going during earthmoving activities. Report to be prepared quarterly. If cultural resources are found, separate report to be prepared by the archaeologist.	Environmental Compliance Monitor

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Threatened and Endangered Species	**California Red-legged Frog and California Tiger Salamander** – Implementation of the following reasonable and prudent measures, consistent with USFWS' Programmatic Biological Opinion for the California red-legged frog, would reduce or avoid potential taking of California red-legged frogs and California tiger salamanders as a direct result of Airport construction:				
	• Pre-construction surveys shall be conducted prior to any construction within 20 feet of the banks of Sulphur Creek. These surveys shall be done by a qualified biologist. If no red-legged frogs or tiger salamanders are detected during these surveys, then construction related activities may proceed. If red-legged frogs or tiger salamanders are found within the construction disturbance zone, they will be moved passively, or captured and moved, to suitable sites within Sulphur Creek by a biologist with the appropriate permits.	Prior to any construction activities and on-going during project construction.	City of Hayward/ Biologist	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor
	• A biological monitor shall be on site at all times when construction is within 20 feet of riparian vegetation. In addition, a biologist with the appropriate permits to relocate California red-legged frogs or tiger salamanders will be available for consultation as needed.	On-going during project construction.	City of Hayward/ Biologist	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor
	• The biological monitor and/or biologist will conduct an environmental protection workshop for workers prior to construction activities.	One-time prior to initiation of any construction activities	City of Hayward/ Biologist/ Contractor	One-time prior to initiation of any construction activities.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Threatened and Endangered Species (cont.)	• The construction boundary shall be fenced between the construction boundary and Sulphur Creek if construction takes place within 20 feet of riparian vegetation. Fences shall be designed to prohibit the movement of frogs or tiger salamanders into or out of the construction area and to control creek siltation and disturbance to riparian habitat. The appropriate fence location will be determined by a biologist and verified after construction. The biologist/monitor will ensure that no vegetation is removed beyond the fenced construction area during any phase of construction. If a variance in construction requires removal of vegetation beyond the fenced construction area, the monitor shall determine if additional mitigation is warranted. The permitting agencies shall also be contacted in the event of any significant deviation from permitted conditions.	One-time prior to initiation of any construction activities.	City of Hayward/ Biologist/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Threatened and Endangered Species (cont.)	**Burrowing Owl** – The following protection measure for the burrowing owl shall be implemented: • A pre-construction survey shall be conducted in all areas providing suitable habitat at least 30 days prior to construction according to the most recent California Department of Fish & Game (CDFG) Burrowing Owl Survey Protocol and Mitigation Guidelines (CDFG, 1995) or the approved methodology at the time surveys are conducted. Surveys shall include grassland areas within a 500-foot buffer along the alignment, checking for burrowing owls and owl sign. If owls are found to be using the site and avoidance is not feasible, a passive relocation effort (displacing the owls from the site) may be conducted as described below, subject to the approval of CDFG.	30 days prior to initiation of any construction activities.	City of Hayward/ CDFG/Biologist	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Threatened and Endangered Species (cont.)	If occupied habitat is detected on or adjacent to the site, measures to avoid, minimize, or mitigate impacts to burrowing owls will be incorporated into the project. Such measures include the following: • Survey results will be forwarded to the resource agencies for review. Consult with CDFG and/or US Fish & Wildlife Service (USFWS), as appropriate to determine the most appropriate and feasible mitigation. Mitigation for potential effects to burrowing owl shall follow established agency protocol at the time of impact. This may include measures such as avoidance, minimization, relocation of individuals, establishment of new burrows on Airport property or purchase of mitigation credits in an approved mitigation bank. The following provides reasonable and prudent measures that may be required by agencies. The measures will be modified (as necessary) to comply with established agency protocol for burrowing owl at the time of impact. • Establish areas around the occupied burrows where no disturbance may occur. The sensitive areas shall extend 160 feet around the occupied burrows during the non-breading season of September 1 through January 31, and shall extend 250 feet around occupied burrows during the breeding season from February 1 through August 31.	On-going during project construction.	City of Hayward/ CDFG/USFWS/ Biologist	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Threatened and Endangered Species (cont.)	• If the above avoidance requirements cannot be met, passive relocation of on-site owls may be implemented as an alternative, but only during the non-breeding season. Passive relocation shall be accomplished by installing one-way doors on the entrances of burrows located within 160 feet of the project area alignment. The one-way doors shall be left in place for 48 hours to ensure that the owls have left the burrow. • For each burrow that will be excavated by project construction, one alternate unoccupied natural or artificial burrow shall be provided outside of the 160-foot buffer zone. The alternate burrows shall be monitored daily for one week to confirm that owls have moved and acclimated. • Burrows within the construction area shall be excavated under the supervision of a biological monitor using hand tools and then refilled to prevent reoccupation. If any burrowing owls are discovered during excavation, the excavation shall cease and the owl allowed to escape. Excavation may be completed when the biological monitor confirms that the burrow is empty. • The area of grassland habitat eliminated by the project shall be replaced at a 1:1 ratio off-site by the acquisition of suitable habitat in an area approved by CDFG, e.g., the mitigation bank under development in Byron.	On-going during project construction.	City of Hayward/ CDFG/Biologist	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT B

Impact	Summary of Mitigation Measure	Timing of Implementation of Mitigation Measure	Party Responsible for Implementation of Mitigation Measure	Monitoring and Reporting Schedule	Party Responsible for Monitoring and Reporting
Floodplain (On-Site Flooding)	The City shall coordinate with Alameda County Flood Control District (ACFCD) to identify and implement necessary drainage infrastructure improvements to Sulphur Creek to address existing flooding conditions at the Airport and avoid exacerbation of the existing 100-year floodplain. Measures include an upgrade of the Sulphur Creek channel to meet ACFCD design standards, and construction of retention basins to reduce flow contributions from proposed facilities. Proposed improvements to Sulphur Creek shall meet ACFCD design requirements for primary facilities of either: a) the 15-year design storm with one foot of freeboard, or; b) the FEMA 100-year design storm with zero feet of freeboard.	One-time prior to initiation of any construction activities.	City of Hayward/ ACFCD	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor
Exposure of Workers to Hazardous Materials	The City shall investigate potentially contaminated sites prior to beginning work where any demolition, renovation, or earthmoving activities are to be conducted. If the potential for workers to encounter hazardous materials is identified, the City shall take necessary precautions to protect the health and safety of site workers.	Prior to any construction activities and on-going during project construction.	City of Hayward/ Contractor	On-going during project construction. Report to be prepared quarterly.	Environmental Compliance Monitor

EXHIBIT C

Hayward Executive Airport Master Plan
Final Environmental Assessment/Environmental Impact Report
Summary of Comments Received During Environmental Process

During the 90-day public review period of the Draft EA/EIR, only four agencies submitted written comments. They were:

- California State Clearinghouse – acknowledging that the City complied with the State Clearinghouse review requirements pursuant to CEQA.

- California Department of Toxic Substances Control (DTSC) – suggesting a minor revision to language on page 4-263 of Draft EIR. The Final EIR reflects suggested language change(s).

- California Department of Transportation – acknowledging review of Draft EIR and finding of no significant impacts to State highway facilities.

- California State Office of Historic Preservation (SHPO) – requiring documentation on pre-1955 architectural properties on the Airport. In compliance, a report titled "Historic Properties Inventory and Evaluation for the Hayward Executive Airport and Air National Guard Station" was prepared. The report concluded that the pre-1955 buildings were found to lack sufficient historicity, integrity, and architectural distinction to justify listing on the National Register of Historic Places. No additional analysis is warranted.

During the 90-day public review period of the Draft EA/EIR, only two individuals submitted written comments. They were:

- Ronald Barklow – consideration for burrowing owls. The EA/EIR specifies procedures to relocate any owls present, subject to specific breeding season restrictions and monitoring requirements.

- Howard Perry Beckman – [Appendix 7, pages A.7.D-42 to A.7.D-74]

  - Noise: Based upon Mr. Beckman's comments, as well as the litigation involving the Port of Oakland's CEQA documentation for its proposed Airport Development Program, the Final EA/EIR incorporates additional analysis of single event measures to expand the noise evaluation. As such, in the interest of providing complete and full disclosure in the EIR, single event noise analyses were performed. However, neither the City of Hayward, the Lead Agency for CEQA, nor the FAA, the Lead Agency for NEPA, required such analyses.

  - Cumulative Impacts: The analysis presented in the EA/EIR concludes that the proposed project would not have incremental effects that constitute a cumulatively considerable "contribution" to any significant cumulative impact, and thus the project would not result

in significant cumulative impacts. Further, in addition to vacant Airport parcels, the development project(s) studies included the West Winton Retail Center, Heald College relocation, the City of Hayward's 'South of SR92 Area Plan', the Alameda County redevelopment plan north of 'A' Street in San Lorenzo, and the Home Depot project.

- Biotic Communities: The EA/EIR presumes the presence of burrowing owls on the Airport. However, the EA/EIR also identifies appropriate and feasible mitigation measures that would avoid or reduce any impacts to the burrowing owl or its habitat. Mitigation includes and requires pre-construction surveys conducted according to current California Department of Fish and Game burrowing owl survey protocols to confirm the continued absence of burrowing owls at development sites.

- Air Quality: The Federal Aviation Administration requires air quality modeling estimates to be based upon the FAA's most recent model available at the start of the environmental analysis process. The most recent version was used to estimate and model air quality emissions. Therefore, the emissions estimates calculated can be considered accurate and their use in the EA/EIR reasonable.

- Transportation (letters #1 & #2): Projected future traffic generated by Home Depot was included in future volumes used as the basis for determination of impacts related to the proposed Master Plan. Also, diversion of traffic from I-880 to Hesperian Boulevard, caused by accidents and other incidences, would continue to occur, with resulting higher-than-average congestion levels in the Hesperian corridor, irrespective of the Master Plan.

  Note: The Final EA/EIR, consisting of the Appendices, has been addressed and/or revised together with the comments received from Mr. Barklow and Mr. Beckman.

During the Planning Commission's public hearing held July 12, 2001, for the Draft EA/AIR and Airport Master Plan, only two individuals offered verbal comments. They were:

- Ronald Barklow – consideration for burrowing owls. The EA/EIR specifies procedures to relocate any owls present, subject to specific breeding season restrictions and monitoring requirements.

- Howard Perry Beckman – all of Mr. Beckman's comments have been addressed in the Appendices to Final EA/EIR.

MINUTES

EXHIBIT D

REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD
Council Chambers
Thursday, February 28, 2002, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS	Zermeño, Williams, Sacks, Caveglia Bogue, Thnay
	CHAIRPERSON	Halliday
Absent:	COMMISSIONER	None

Staff Members Present: Conneely, Frascinella, Koonze, Looney, Patenaude, Shiner, Weisbrod

General Public Present: Approximately 20

PUBLIC COMMENT

None made.

AGENDA

1. **Zone Change No. PL-2001-0223 and Tentative Tract Map No. 7341 – Brian Purcell for PF Tract (Applicant), Brian and Kimberly Purcell (Owners):** Request to Raze an Existing Single-Family Dwelling, Vacate Excess Right-of-Way at the Corner of Alice Street and Winton Avenue and to Rezone Property from Commercial Office (CO) District to Planned Development (PD) District and Approve a Tentative Tract Map for the Purpose of Constructing Eight Townhouses. The Project is Located at 338 Winton Avenue at the Northwest Corner of Alice Street

2. **Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 – Tiburcio Vasquez Health Center, Inc. (Applicant)/St. Vincent DePaul Society of Alameda County (Owners):** Request to Rezone Property from PD (Planned Development) to CC-C (Central City – Commercial) and CC-C (Central City-Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District and to Convert Existing Thrift Store to a Medical Clinic and Offices Providing Medical, Dental and Optical Care. The Project is Located at 22331 Mission Blvd

3. **Airport Master Plan and Final Environmental Assessment/Environmental Impact Report**

4. **Referral by the Planning Director – Interpretation of Zoning Ordinance, Architectural Design Principles and Industrial District**

Commissioner Zermeño **moved**, seconded by Commissioner Caveglia, to recommend to City Council that they certify the Negative Declaration, approve the rezoning, approve the Site Plan Review, and approve the demolition of the three cottages.

Commissioner Sacks commented on the driveways where arrows are two-ways. She said she did speak with someone near the location, whose feelings were similar to Mrs. Perry's. She said they might as well continue the wrought-iron fencing.

Commissioner Thnay suggested putting in bike racks as a condition.

Commissioner Sacks said Commissioner Thnay reminded her, Conditions #20, assumes all the employees will drive. She said the applicant needs to encourage employees to carpool, use public transportation, etc. Perhaps City staff might keep this in mind for the future.

Commissioner Bogue asked about making the whole fence wrought iron.

Commissioner Sacks asked how the gate is being secured and would there be a rolling gate going into that area.

Chairperson Halliday also wondered how the gate would be secured if it is a picket fence.

Principal Planner Patenaude said with a picket fence, the gate would have to swing onto the masonry wall opposite that location.

The motion passed 7:0.

3. Airport Master Plan and Final Environmental Assessment/Environmental Impact Report

Airport Manager Shiner gave the staff report. He noted that the Final EIR was combined with the Federal Environmental Assessment. He said that he and the two consultants would address any questions and comments.

Chairperson Halliday asked some questions related to the study of historic properties.

Airport Manager Shiner said the experts asked what the use of the buildings were and whether they had any association with something historic.

Commissioner Thnay asked about any landscaping on Hesperian.

Airport Manager Shiner explained that the Master Plan principally looks at airport operations. Future development will include landscaping.

Commissioner Thnay noted that the FEIR shows a 40% growth in operations over 20 years. Yet,

vehicle traffic increases by only 6%.

Airport Manager Shiner explained that this indicates aircraft operations increasing 40%. This does not necessarily translate into vehicle traffic.

Chairperson Halliday said she did not see an alternative study for building housing on airport property.

Airport Manager Shiner noted that that is a community question not an airport question. The function of the airport has a value to the community that is not always measured by money.

Chairperson Halliday then asked whether the airport is coming back from the 9-11 tragedy.

Airport Manager Shiner said one tenant was lost. Everyone else was able to ride out the storm.

Chairperson Halliday commented that, again, there was such a limited time to review all of the information. It would have been nice to go out to the airport and have an on-site visit.

The public hearing opened at 9:52 p.m.

Howard Beckman said he questions the seriousness of the review when the document is released on the 20th and this is already the 28th. He noted that this is neither the time nor the venue for this. He said he focused on asking why the 60 decibels contour is not shown. The 65 is for turbojet airports, the 60 is for neighborhood airports. His second point was the comments provided with the picture of flight patters. He wondered whether this was an accurate picture of the air flights in the area.

Commissioner Williams stated that the picture of air traffic to the airport was accurate. He noted that the students and pilots are told to curb the takeoff from San Lorenzo.

Commissioner Bogue said he has done quite a bit of studying of the airport and figured these are pretty accurate.

Commissioner Sacks asked how these vary with weather.

Airport Manager Shiner explained that a whole myriad of issues affect the perception of the noise. One project in the Master Plan will move the end of the runway further away from San Lorenzo.

The public hearing closed at 10:05 p.m.

Commissioner Zermeño **moved**, seconded by Commissioner Sacks, to forward to the City Council a recommendation to certify the Final Environmental Assessment/Environmental Impact Report, and Adopt the Airport Master Plan.

Commissioner Sacks said she would be happy to send it forward but she was not happy with such a short time to give more specific comments to Council

Commissioner Bogue said he agreed it was a short time but since the Commission had previously

dealt with the Master Plan for the past 3-½ years, this has been a long time coming.

Commissioner Williams agreed he would have liked more time but also noted that the Commission has looked at this for some time. He commended staff and the airport manager.

Chairperson Halliday said she was going to abstain. She expressed concern that the process could have been better organized. Members could have studied the issues more fully with more time. She noted that it might have been helpful to look at the area.

Commissioner Bogue commented that a lot of them did tour the airport, prior to being on the Commission. He said he feels comfortable and knowledgeable about the airport. He noted that he was pleased to see the extension of the runway so that it is further away from San Lorenzo. They will be taking off sooner and further away from San Lorenzo. It should also be easier to land.

Commissioner Sacks illustrated the difference between the documents. She noted that she was frustrated that she was not doing as good a job as she could have done.

The **motion passed 6:0:1, with Chairperson Halliday abstaining.**

4. **Referral by the Planning Director – Interpretation of Zoning Ordinance, Architectural Design Principles and Industrial District**

Principal Planner Patenaude explained the changes in architectural design principles regarding truck-loading doors. Standards were adopted for the Industrial District. He explained that a plan had come in from Balch Enterprises with truck doors facing the street. The applicant was alerted that this does not meet the design standards. Regardless of the style they remain a truck loading area, and are visible from the street. Landscaping is not possible as a result. Applicant feels these doors are attractive. He asked that the Commission maintain the guidelines for truck areas.

Commissioner Caveglia commented that part of the confusion is that Mr. Balch is confusing things with the truck loading areas. He said the staff report is clear since when the doors are open they are ugly.

Commissioner Williams agreed that the staff report is clear, however, states that truck loading areas shall not fact the street unless no alternative exists.

Principal Planner Patenaude noted that Building Two has circulation around the building so that the loading doors could be on the interior of the property.

Commissioner Zermeño commented that, on occasion has heard that Hayward is not too friendly to business with all these obstacles.

Principal Planner Patenaude commented that this could be the perception with any guidelines.

DRAFT

mtl
4/4/02

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION CERTIFYING ENVIRONMENTAL ASSESSMENT/PROGRAM ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE HAYWARD EXECUTIVE AIRPORT MASTER PLAN AND MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, in 1998, the City Council directed staff to work with consultants on the preparation of a comprehensive update of the original Hayward Executive Airport Master Plan and further authorized the preparation of a joint Environmental Assessment/Program Environmental Impact Report; and

WHEREAS, a draft Hayward Executive Airport Master Plan (the "Master Plan") was prepared and reviewed by the City Council at a work session on July 18, 2000; and

WHEREAS, City staff and consultants prepared a Draft Environmental Assessment/Program Environmental Impact Report ("Draft EA/EIR") to analyze the potential environmental impacts of the Master Plan, which was made available for public comments during the period from April 23, 2001, to July 23, 2001, pursuant to the requirements of the California Environmental Quality Act ("CEQA"); and

WHEREAS, the City Council conducted a work session on July 10, 2001, and the Planning Commission conducted a public hearing on July 12, 2001, to receive comments on the Master Plan and the Draft EA/Program EIR; and

WHEREAS, written responses to comments on the Draft EA/Program EIR were prepared in the form of a separate document entitled the "Final Environmental Assessment/Program Environmental Impact Report" ("Final EA/EIR"), which together with the Draft EA/Program EIR and Appendices comprises the environmental documents for the Master Plan; and

WHEREAS, the Planning Commission held a public hearing on February 28, 2002, during which it considered the Final EA/Program EIR and the Master Plan and has recommended that the City Council certify the Final EA/Program EIR and adopt the Mitigation Monitoring and Reporting Program; and

WHEREAS, on April 16, 2002, the City Council held a public hearing to consider the certification of the Final EA/Program EIR and adoption of the Mitigation

Monitoring and Reporting Program and the Master Plan, and to receive comments of the public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby certifies the Final EA/Program EIR and adopts the Mitigation Monitoring and Reporting Program and the Master Plan, based on the following findings and determinations:

I. HAYWARD EXECUTIVE AIRPORT MASTER PLAN. The purpose of the Hayward Executive Airport Master Plan is to provide a long-term planning framework for the development of a balanced complex of airside and landside facilities through 2020. The Master Plan component projects include widening of the existing Runway 28L entrance taxiway and constructing a displaced threshold of 350 feet to the southeast for Runway 28R, improvements to the taxiways, apron areas, navigation aids and service roads, as well as construction of new general aviation facilities and a noise wall. With or without implementation of the Master Plan, aviation activity is expected to increase over the next twenty years as a result of growth in the population of nearby communities, the strength of national and regional economies and the expansion of business and industry in Alameda County. The principal objectives of the Master Plan are to develop an attractive, efficient and safe aviation facility; develop facilities to serve general aviation users; accommodate forecasted increases in airport operations; contribute to local economic development; support local economic development and growth by providing the facilities necessary to support business and corporate aircraft use of the airport; and prevent substantial increase in aircraft noise exposure in surrounding residential neighborhoods. The adoption of the Master Plan shall rescind and replace the City's current Hayward Executive Airport Master Plan in its entirety.

II. CONSIDERATION OF PROJECT ALTERNATIVES. The Final EA/EIR evaluates the potential impacts of the Master Plan and two alternatives: the No Project Alternative and Alternative A. The principal elements of these alternatives are summarized below.

- No Project Alternative. This alternative assumes that none of the component projects included in the Master Plan or Alternative A would be implemented. As a result, none of the airside improvements described in the Master Plan and none of the landside improvements described in the Master Plan and Alternative A would be constructed. Because aviation facilities would not be expanded under this alternative, future increases in aviation activity would be less than the increases projected for the Master Plan and Alternative A. The No Project Alternative would avoid or reduce in magnitude some adverse impacts of the Master Plan and Alternative A. However, none of the adverse impacts of the Master Plan or Alternative A would be considered significant with the implementation of mitigation measures proposed as part of the Master Plan or identified in the Final EA/EIR. Therefore, the effects of the Master Plan

are essentially the same as those of the No Project Alternative, except that the No Project Alternative would not provide the economic benefits of the Master Plan.

- Alternative A. This alternative is similar to the Master Plan in that it would construct the same general aviation facilities, general aviation terminal, landside facilities and the same number of general aviation operations. The primary differences between this alternative and the Master Plan are that there would not be a displaced threshold constructed for Runway 10L-28R and the existing acceleration taxiway for Runway 10R-28L would not be widened and designated as part of the runway for departures. In addition, none of the commercial or industrial development included in the Master Plan would occur on the south side of the Airport. Aviation-related development in the southwest corner of the Airport would still occur under this alternative. None of the adverse impacts of the Master Plan or Alternative A would be considered significant with the implementation of mitigation measures proposed as part of the Master Plan or identified in the Final EA/EIR. Therefore, the effects of the Master Plan are essentially the same as the No Project Alternative, except that the Alternative A would not provide all the economic benefits of the Master Plan.

III. FINDINGS ON POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS. The City Council also finds that the proposed mitigations set forth in the Final EA/EIR and incorporated into the Master Plan and the accompanying Mitigation Monitoring and Reporting Program will avoid the significant environmental impacts of implementing the Master Plan or reduce those impacts to a less-than-significant level. The potentially significant impacts identified in the Draft and Final EA/EIR are as follows.

A. AIR QUALITY. The EA/EIR discusses potential air quality impacts at Sections 4.5.2.1-4.5.2.3. According to the EA/EIR, construction activities, such as excavation and grading activities could generate considerable amounts of dust depending on the level of activity, silt content of the soil and the prevailing winds, but this impact can be mitigated to a less-than-significant level if dust control measures are implemented. As explained in Section 4.5.2.3 of the EA/EIR, such measures would include several elements including daily sprinkling, covering haul trucks, applying soil stabilizers, street sweeping, hydroseeding, speed controls, replanting and designating a person or persons at the construction site to monitor the dust control program. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impact of construction-related emissions to a less-than-significant level.

B. SURFACE WATER QUALITY. The EA/EIR discusses potential surface water quality impacts at Sections 4.6.2.1-4.6.2.3. According to the EA/EIR,

intensification of site use would increase the potential for contaminant spills and elevated levels of petroleum hydrocarbons and other contaminants in stormwater discharges, but these impacts can be reduced to a less-than-significant level if mitigation measures proposed as part of the project and identified in the EA/EIR are implemented. The existing Airport SWPP will be updated to include the additional facilities and BMPs associated with the new facilities will be similar to existing BMPs. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impacts on surface water quality to a less-than-significant level.

C. PREVIOUSLY UNKNOWN ARCHAEOLOGICAL RESOURCES. The EA/EIR discusses the potential impacts on previously unknown archaeological resources at Sections 4.8.2.1-4.8.2.3. According to the EA/EIR, earthmoving activities associated with the construction of airport improvements could result in the discovery of previously unknown archaeological resources, but this impact can be reduced to a less-than-significant level if construction-related activities are halted within 25 feet of the discovery of any archaeological resource uncovered during construction and a qualified archaeologist is consulted prior to the resumption of construction activities. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impacts on previously unknown archaeological resources to a less-than-significant level.

D. THREATENED AND ENDANGERED SPECIES. The EA/EIR discusses the potential impacts on threatened and endangered species at Sections 4.10.2.1-4.10.2.3. According to the EA/EIR, direct impacts to amphibian species, such as the California red-legged frog and the California tiger salamander, would only occur if individual members of these species migrated to the grassland portions of the airport. In addition, the construction of various airport improvements would result in the reduction of the amount of grasslands available for wildlife, which may result in a significant impact to the burrowing owl. However, the impacts on the California red-legged frog and the California tiger salamander can be reduced to a less-than-significant level by implementation of measures consistent with USFWS' Progromatic Biological Opinion. Similarly, the impacts on the burrowing owl can be reduced to a less than significant level by observance of the CDFG Burrowing Owl Survey Protocol and Mitigation Guidelines. If occupied habitat is discovered, the survey results will be forwarded to the appropriate agency for review and consultation; areas will be established around occupied burrows where no

disturbance may occur; an unoccupied artificial or natural burrow will be provided for each burrow excavated and the replacement of areas of grassland habitat eliminated. Any area of grassland habitat that may be eliminated by the project shall be replaced at a 1:1 ratio offsite by the acquisition of suitable habitat in an area approved by the CDFG. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impacts on threatened and endangered species to a less-than-significant level.

E. ON-SITE FLOODING. The EA/EIR discusses the impacts to potential on-site flooding at Sections 4.12.2.1-4.12.2.3. According to the EA/EIR, the increase in areas of impervious surfaces would increase stormwater runoff volumes and peak flows that may result in temporary flooding. However, this impact can be reduced to a less-than-significant level by the implementation of drainage structures; the upgrading of the Sulphur Creek channel; and the construction of retention basins to reduce flow contributions from the proposed facilities. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impacts of on-site flooding to a less-than-significant level.

F. EXPOSURE OF WORKERS TO HAZARDOUS MATERIALS IMPACTS. The EA/EIR discusses the impacts of exposure to hazardous materials on workers at Sections 4.22-2.2.1-4.22- 2.2.3. According to the EA/EIR, construction activity associated with the implementation of airport improvements could potentially expose workers to hazardous materials, including encounters with asbestos during building renovation and contaminated soil during excavation and grading. However, these impacts can be mitigated by adopting measures to protect workers and the public from exposure to hazardous materials and provide for the clean-up of contaminants in accordance with established rules and regulations. These recommended measures are included in the Mitigation Monitoring and Reporting Program adopted herein. The City Council finds that these measures will mitigate the impacts of worker exposure to hazardous materials to a less-than-significant level.

IV. MITIGATION MEASURES. The City Council also finds that the proposed mitigations set forth in the Final EA/EIR and incorporated into the Master Plan and the accompanying Mitigation Monitoring and Reporting Program will avoid all of the significant environmental impacts of implementing the Master Plan or reduce the impacts to a less-than-significant level.

V. CERTIFICATION OF FINAL EA/EIR AND ADOPTION OF MITIGATION MONITORING REPORTING PROGRAM. The City Council has reviewed and considered the documents comprising the Draft and Final EA/Program EIR for the Master Plan and hereby finds that such Final EA/EIR reflects the independent judgment and analysis of the City Council and is an adequate and extensive assessment of the environmental impacts of the Master Plan. Accordingly, the City Council hereby certifies such Final EA/EIR as having been prepared in compliance with the requirements of the California Environmental Quality Act ("CEQA") and adopts the Mitigation and Monitoring Reporting Program.

VI. ADOPTION OF MASTER PLAN. Accordingly, based on the foregoing findings, the City Council hereby approves and adopts the Master Plan.

IN COUNCIL, HAYWARD, CALIFORNIA _____ , 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

_____
City Attorney of the City of Hayward